OFFERYNNAU STATUDOL CYMRU

WELSH STATUTORY INSTRUMENTS

2021 Rhif 938 (Cy. 214) (C. 49)

ADDYSG, CYMRU

Gorchymyn Deddf Anghenion Dysgu Ychwanegol a'r Tribiwnlys Addysg (Cymru) 2018 (Diwygio Gorchymyn Cychwyn Rhif 2 a Dirymu Gorchymyn Cychwyn Rhif 3 a Gorchymyn Cychwyn Rhif 4) 2021

NODYN ESBONIADOL

(Nid yw'r nodyn hwn yn rhan o'r Gorchymyn)

Mae'r Gorchymyn hwn yn diwygio Gorchymyn Deddf Anghenion Dysgu Ychwanegol a'r Tribiwnlys Addysg (Cymru) 2018 (Cychwyn Rhif 2) 2021 mewn cysylltiad â'r rheini sydd ym mlwyddyn 11 neu a fydd yn cyrraedd 16 oed yn ystod y flwyddyn ysgol 2021-2022 (os nad ydynt mewn ysgol).

Mae'r Gorchymyn hwn hefyd yn dirymu Gorchymyn Deddf Anghenion Dysgu Ychwanegol a'r Tribiwnlys Addysg (Cymru) 2018 (Cychwyn Rhif 3 a Darpariaethau Trosiannol a Darpariaethau Arbed) 2021, Gorchymyn Deddf Anghenion Dysgu Ychwanegol a'r Tribiwnlys Addysg (Cymru) 2018 (Cychwyn Rhif 4 a Darpariaethau Trosiannol a Darpariaethau Arbed) 2021 a Gorchymyn Deddf Anghenion Dysgu Ychwanegol a'r Tribiwnlys Addysg (Cymru) 2018 (Cychwyn Rhif 3 a Rhif 4 a Darpariaethau Trosiannol a Darpariaethau Arbed) (Diwygio) 2021.

2021 No. 938 (W. 214) (C. 49)

EDUCATION, WALES

The Additional Learning Needs and Education Tribunal (Wales) Act 2018 (Amendment of Commencement Order No. 2 and Revocation of Commencement Order No. 3 and Commencement Order No. 4) Order 2021

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Additional Learning Needs and Education Tribunal (Wales) Act 2018 (Commencement No. 2) Order 2021 in respect of those in year 11 or who will attain the age of 16 during the 2021-2022 school year (if not at a school).

This Order also revokes the Additional Learning Needs and Education Tribunal (Wales) Act 2018 (Commencement No. 3 and Transitional and Saving Provisions) Order 2021, the Additional Learning Needs and Education Tribunal (Wales) Act 2018 (Commencement No. 4 and Transitional and Saving Provisions) Order 2021 and the Additional Learning Needs and Education Tribunal (Wales) Act 2018 (Commencement No. 3 and No. 4 and Transitional and Saving Provisions) (Amendment) Order 2021.

OFFERYNNAU STATUDOL CYMRU

2021 Rhif 938 (Cy. 214) (C. 49)

ADDYSG, CYMRU

Gorchymyn Deddf Anghenion Dysgu Ychwanegol a'r Tribiwnlys Addysg (Cymru) 2018 (Diwygio Gorchymyn Cychwyn Rhif 2 a Dirymu Gorchymyn Cychwyn Rhif 3 a Gorchymyn Cychwyn Rhif 4) 2021

Gwnaed *12 Awst 2021*

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddir gan adran 100(3) a (4) o Ddeddf Anghenion Dysgu Ychwanegol a'r Tribiwnlys Addysg (Cymru) 2018(**1**), yn gwneud y Gorchymyn a ganlyn:

Enwi

1. Enw'r Gorchymyn hwn yw Gorchymyn Deddf Anghenion Dysgu Ychwanegol a'r Tribiwnlys Addysg (Cymru) 2018 (Diwygio Gorchymyn Cychwyn Rhif 2 a Dirymu Gorchymyn Cychwyn Rhif 3 a Gorchymyn Cychwyn Rhif 4) 2021.

Diwygio Gorchymyn Deddf Anghenion Dysgu Ychwanegol a'r Tribiwnlys Addysg (Cymru) 2018 (Cychwyn Rhif 2) 2021

2.—(1) Mae Gorchymyn Deddf Anghenion Dysgu Ychwanegol a'r Tribiwnlys Addysg (Cymru) 2018 (Cychwyn Rhif 2) 2021(**2**) wedi ei ddiwygio fel a ganlyn.

(2) Yn erthygl 1(2), yn y lle priodol mewnosoder—

(**1**) 2018 dccc 2.
(**2**) O.S. 2021/373 (Cy. 116) (C. 12) a ddiwygiwyd gan O.S. 2021/735 (Cy. 184) (C. 34).

WELSH STATUTORY INSTRUMENTS

2021 No. 938 (W. 214) (C. 49)

EDUCATION, WALES

The Additional Learning Needs and Education Tribunal (Wales) Act 2018 (Amendment of Commencement Order No. 2 and Revocation of Commencement Order No. 3 and Commencement Order No. 4) Order 2021

Made *12 August 2021*

The Welsh Ministers, in exercise of the powers conferred by section 100(3) and (4) of the Additional Learning Needs and Education Tribunal (Wales) Act 2018(**1**), make the following Order:

Title

1. The title of this Order is the Additional Learning Needs and Education Tribunal (Wales) Act 2018 (Amendment of Commencement Order No. 2 and Revocation of Commencement Order No. 3 and Commencement Order No. 4) Order 2021.

Amendment of the Additional Learning Needs and Education Tribunal (Wales) Act 2018 (Commencement No. 2) Order 2021

2.—(1) The Additional Learning Needs and Education Tribunal (Wales) Act 2018 (Commencement No. 2) Order 2021(**2**) is amended as follows.

(2) In article 1(2), insert in the appropriate place—

(**1**) 2018 anaw 2.
(**2**) S.I. 2021/373 (W. 116) (C. 12) amended by S.I. 2021/735 (W. 184) (C. 34).

"ystyr "blwyddyn 11" ("*year 11*") yw grŵp blwyddyn y bydd mwyafrif y plant, yn ystod y flwyddyn ysgol, yn cyrraedd 16 oed;"

"mae i "blwyddyn ysgol" yr un ystyr â "school year" yn adran 579(**1**) o Ddeddf 1996;"

"ystyr "grŵp blwyddyn" ("*year group*") yw grŵp o blant mewn ysgol y bydd y mwyafrif ohonynt, mewn blwyddyn ysgol benodol, yn cyrraedd yr un oedran;".

(3) Yn erthygl 4, o flaen paragraff (a) mewnosoder—

"(za) sydd ym mlwyddyn 11;

(zb) nad yw mewn ysgol ac a fydd yn cyrraedd 16 oed yn ystod y flwyddyn ysgol 2021-2022;".

(4) Yn erthygl 6, ar ôl "o fewn" mewnosoder "y naill neu'r llall o'r paragraffau yn".

(5) Yn lle erthygl 7 rhodder—

"**7.** Person y mae cynllun datblygu unigol—

(a) yn cael ei lunio o dan adran 40 neu ei gadw o dan adran 42 o'r Ddeddf mewn perthynas ag ef;

(b) yn cael ei lunio neu ei gynnal o dan adran 14 o'r Ddeddf o ganlyniad i reoliad 23 o Reoliadau Anghenion Dysgu Ychwanegol (Cymru) 2021(**2**)."

""school year" ("*blwyddyn ysgol*") has the same meaning as in section 579(**1**) of the 1996 Act;"

""year 11" ("*blwyddyn 11")* means a year group in which the majority of children will, in the school year, attain the age of 16";

""year group" ("*grŵp blwyddyn*") means a group of children at a school the majority of whom will, in a particular school year, attain the same age".

(3) In article 4, before paragraph (a) insert—

"(za) who is in year 11;

(zb) who is not at a school and will attain the age of 16 during the 2021-2022 school year;".

(4) In article 6, after "falls into" insert "either of the paragraphs in".

(5) For article 7 substitute—

"**7.** A person in relation to whom an individual development plan —

(a) is being prepared under section 40 or kept under section 42 of the Act;

(b) is being prepared or maintained under section 14 of the Act as a result of regulation 23 of the Additional Learning Needs (Wales) Regulations 2021(**2**)."

Dirymu

3. Mae Gorchymyn Deddf Anghenion Dysgu Ychwanegol a'r Tribiwnlys Addysg (Cymru) 2018 (Cychwyn Rhif 3 a Darpariaethau Trosiannol a Darpariaethau Arbed) 2021(**3**) wedi ei ddirymu.

4. Mae Gorchymyn Deddf Anghenion Dysgu Ychwanegol a'r Tribiwnlys Addysg (Cymru) 2018 (Cychwyn Rhif 4 a Darpariaethau Trosiannol a Darpariaethau Arbed) 2021(**4**) wedi ei ddirymu.

5. Mae Gorchymyn Deddf Anghenion Dysgu Ychwanegol a'r Tribiwnlys Addysg (Cymru) 2018 (Cychwyn Rhif 3 a Rhif 4 a Darpariaethau Trosiannol a Darpariaethau Arbed) (Diwygio) 2021(**5**) wedi ei ddirymu.

Revocation

3. The Additional Learning Needs and Education Tribunal (Wales) Act 2018 (Commencement No. 3 and Transitional and Saving Provisions) Order 2021(**3**) is revoked.

4. The Additional Learning Needs and Education Tribunal (Wales) Act 2018 (Commencement No. 4 and Transitional and Saving Provisions) Order 2021(**4**) is revoked.

5. The Additional Learning Needs and Education Tribunal (Wales) Act 2018 (Commencement No. 3 and No. 4 and Transitional and Saving Provisions) (Amendment) Order 2021(**5**) is revoked.

(**1**) Mewnosodwyd diffiniad o "school year" gan Ddeddf Addysg 1997 (p. 44), adran 57, paragraff 43 o Atodlen 7.
(**2**) O.S. 2021/401 (Cy. 130).
(**3**) O.S. 2021/381 (Cy. 120) (C. 13) a ddiwygiwyd gan O.S. 2021/516 (Cy. 153) (C. 17) ac O.S. 2021/735 (Cy. 184) (C. 34).
(**4**) O.S. 2021/383 (Cy. 121) (C. 14) a ddiwygiwyd gan O.S. 2021/516 (Cy. 153) (C. 17) ac O.S. 2021/735 (Cy. 184) (C. 34).
(**5**) O.S. 2021/516 (Cy. 153) (C. 17).

(**1**) Definition of "school year" was inserted by the Education Act 1997 (c. 44), section 57, paragraph 43 of Schedule 7.
(**2**) S.I. 2021/401 (W. 130).
(**3**) S.I. 2021/381 (W. 120) (C. 13) amended by S.I. 2021/516 (W. 153) (C. 17) and S. I. 2021/735 (W. 184) (C. 34).
(**4**) S.I. 2021/383 (W. 121) (C. 14) amended by S.I. 2021/516 (W. 153) (C. 17) and S.I. 2021/735 (W. 184) (C. 34).
(**5**) S.I. 2021/516 (W. 153) (C. 17).

Jeremy Miles

Gweinidog y Gymraeg ac Addysg, un o Weinidogion Cymru
12 Awst 2021

Minister for Education and Welsh Language, one of the Welsh Ministers
12 August 2021

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